

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

**DONALD POLK and
LETICIA VILLARREAL DE POLK,**

Plaintiffs,

vs.

UNITED STATES OF AMERICA,

Defendant.

Civil Action No. 22-896 T

PLAINTIFFS' MOTION TO SEAL EXHIBITS TO COMPLAINT

Plaintiff Donald Polk and Leticia Villarreal de Polk, by and through their undersigned attorneys, respectfully file this motion to seal four exhibits to their complaint, which is being filed contemporaneously. In support of this motion, Plaintiffs state as follows:

1. In this action, Plaintiffs seek recovery of federal income taxes for the tax period ending December 31, 2008.

2. In support of their claim for refund of federal income taxes, Plaintiffs have attached four exhibits to their complaint. The four exhibits consist of their Form 1040 income tax returns and correspondence from the Internal Revenue Service regarding those returns, as required by Rule 9(m)(2) of the Rules of the United States Court of Federal Claims. *See id.* (“In pleading a claim for a tax refund, a party must include: (A) a copy of the claim for refund.”).

3. In addition, the four exhibits contain the following information required to be pleaded in a claim for tax refund by Rule 9(m)(2)(B) of the Rules of the United States Court of Federal Claims: “(i) the tax year(s) for which a refund is sought; (ii) the amount, date, and place of each payment to be refunded; (iii) the date and place the return was filed, if any; (iv) the name, address, and identification number of the taxpayer(s) appearing on the return; (v) the date

and place the claim for refund was filed; and (vi) the identification number of each plaintiff, if different from the identification number of the taxpayer.”

4. Because the four exhibits contain Plaintiffs’ confidential personal information, including their Social Security numbers, the exhibits should be filed and maintained under seal. *See* Rule 5.2(d) (“The court may order that a filing be made under seal without redaction.”).

WHEREFORE, Plaintiffs respectfully request that the Court grant this motion and enter an order directing the Clerk of Court to file the four exhibits to their complaint under seal and maintain those exhibits under seal under further order of the Court.

Respectfully submitted,

FOX ROTHSCHILD LLP

By: /s/ Ian M. Comisky
Ian M. Comisky
2000 Market Street, 20th Floor
Philadelphia, PA 19103
(215) 299-2795
(215) 299-2150 (facsimile)
icomisky@foxrothschild.com

Attorneys for Plaintiffs

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